IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

ORDER

S.B. CIVIL WRIT PETITION No.2342/1997
GORDHANLAL SAINI & Anr V/S STATE OF RAJ. & Ors.

DATE OF ORDER 21.2.2007

PRESENT

HON'BLE MR. JUSTICE MOHAMMAD RAFIQ

Shri Ajay Tantia for the petitioners.
Shri Inderjeet Singh for the respondents.

This writ petition has been filed by the petitioner way back on 11.4.1997 with the prayer that the respondents be directed to consider the case of the petitioner for allotment of shop in New Mandi Yard and until the shops are constructed, they should be allowed to run their business from the open place in the New Mandi Yard. This writ petition has been pending for last more than a decade. This court by order dated 15.5.97 passed a limited interim order to the effect that if there any plot is still unallotted, then the same shall be left vacant till the decision of writ petition. The respondents have denied the entitlement of the petitioner to allotment. Both the petitioners were having a shop in joint partnership of a firm. When the allotments were made, there were only 60 plots in the first list and 36 in the second list whereas the priority of the petitioners is at S.No.105. Allotment could not be made to the petitioner for that reason.

Having heard learned counsel for the parties and after perusal of the record, I find that at this stage after lapse of a decade, no direction for allotment of such plot/shop can be made. The petitioners, however, would be free to submit representation for allotment of shop/plot as per their policy. The respondents shall consider and decide such representation, if made, in accordance with law within two months from the date of such such representation is submitted before them.

(Mohammad Rafiq),J.

Chauhan/